

AMENDED IN ASSEMBLY APRIL 6, 2006

CALIFORNIA LEGISLATURE—2005–06 REGULAR SESSION

ASSEMBLY BILL

No. 2756

Introduced by Assembly Member Levine

February 24, 2006

~~An act relating to energy.~~ *An act to add Chapter 6 (commencing with Section 63090) to Division 1 of Title 6.7 of the Government Code, relating to energy bonds, and making an appropriation thereof.*

LEGISLATIVE COUNSEL'S DIGEST

AB 2756, as amended, Levine. ~~Renewable energy technologies.::~~
Clean renewable energy bonds.

Existing state law authorizes the California Infrastructure and Economic Development Bank to issue revenue bonds, as specified. The bank implements its authority with money from a continuously appropriated fund, the California Infrastructure and Economic Development Bank Fund.

Existing federal law requires, if a taxpayer holds a clean renewable energy bond on one or more specified dates, a credit to be allowed against a specified tax for that taxable year, as specified.

This bill would require the Department of General Services and the California State University, and authorize the University of California, to identify and submit to the State Public Works Board, projects that will comply with the requirements of the federal law establishing the authorization for clean renewable energy bonds. The bill, subject to the availability of those bonds, would require the State Public Works Board to select projects to be funded by those bonds, as specified. The bill would require the board to submit those projects to the bank.

The bill would require the bank to issue clean renewable energy bonds, as specified, in accordance with the federal law authorizing those bonds, as specified, for those projects submitted by the board and authorized in writing by the Director of Finance. The bill would require the Department of Finance to notify the Chairperson of the Joint Legislative Budget Committee and the committee in each house that considers appropriations of the Director of Finance's written authorization.

The bill would require, if specified state law and the federal law that authorizes the clean renewable energy bonds conflict, the federal law to prevail.

Because the bill would authorize the expenditure of money in a continuously appropriated fund for a new purpose, the bill would make an appropriation.

~~Existing law declares that it is the intent of the Legislature, in establishing the Renewable Energy Resources Program, to increase the amount of renewable electricity generated per year, so that it equals at least 17 percent of the total electricity generated for consumption in California per year by 2006.~~

~~This bill would state that it is the intent of the Legislature to enact legislation authorizing the issuance of Clean Renewable Energy Bonds.~~

Vote: majority. Appropriation: ~~no~~-yes. Fiscal committee: ~~no~~ yes. State-mandated local program: no.

The people of the State of California do enact as follows:

1 SECTION 1. Chapter 6 (commencing with Section 63090) is
2 added to Division 1 of Title 6.7 of the Government Code, to read:

3

4 CHAPTER 6. CLEAN RENEWABLE ENERGY BONDS

5

6 63090. It is the intent of the Legislature to benefit by federal
7 bonding authority provided in Section 54 of Title 26 of the United
8 States Code, relating to clean renewable energy bonds.

9 63091. The Department of General Services and the
10 California State University shall, and the University of
11 California may, identify and submit to the State Public Works
12 Board, projects that will comply with the requirements of Section
13 54 of Title 26 of the United States Code.

1 63092. *Subject to the availability of clean renewable energy*
2 *bonds pursuant to Section 54 of Title 26 of the United States*
3 *Code, the State Public Works Board shall select projects to be*
4 *funded by bonds in accordance with Section 54 of Title 26 of the*
5 *United States Code. The State Public Works Board shall select*
6 *only projects for which the savings to the governmental entity in*
7 *terms of energy costs are sufficient to pay back the bonds. The*
8 *State Public Works Board shall submit those projects selected to*
9 *the bank.*

10 63093. (a) (1) *The bank shall issue clean renewable energy*
11 *bonds in accordance with Section 54 of Title 26 of the United*
12 *States Code and pursuant to this division for those projects*
13 *submitted to the bank pursuant to Section 63092 and authorized*
14 *in writing by the Director of Finance.*

15 (2) *The bank shall only issue the bonds for a project after the*
16 *governmental entity sponsoring the project enters into a contract*
17 *with the bank to pay for the bonds from the energy savings that*
18 *accrue to that entity from the project.*

19 (b) *The Department of Finance shall notify the Chairperson of*
20 *the Joint Legislative Budget Committee and the committee in*
21 *each house that considers appropriations of the Director of*
22 *Finance's written authorization.*

23 63094. *To the extent, if any, Section 54 of Title 26 of the*
24 *United States Code and this division conflict, Section 54 of Title*
25 *26 of the United States Code shall prevail.*

26 ~~SECTION 1. It is the intent of Legislature to enact legislation~~
27 ~~authorizing the issuance of Clean Renewable Energy Bonds.~~